Manitoba 🐆





## PRINCIPLE 1

Manitoba should ensure highly skilled immigrants have access to the information and resources necessary to prepare for qualifications recognition and entry to practice in a timely manner.

A. Information and resource materials should be available at the earliest possible entry point for immigrants.

At the pre-migration stage, this could mean a variety of options, ranging from increasing the information or resources available at existing overseas centres, to providing the resources through a website, to partnerships with educational institutions in the home country. At the post-migration stage, this could include a centralized referral office.

B. Information about the assessment and recognition processes concerning a particular occupation in Manitoba should be accurate, understandable and readily available.

Such information could include the processes, range of resources, Canadian expectations, occupational standards, and, where required, translation facilities. Additionally, this could include information on what employers are looking for, how they assess applicants and the labour market itself.

C. Self-assessment opportunities should be available to highly skilled immigrants to allow for planning.

In addition to information, there could be self-assessment tools available as well as observerships that would allow highly skilled immigrants to determine whether they can expect to be successful in the licensing process and in gaining employment in their occupation. This may help them to determine if they need additional training, experience or education, or whether it is a viable proposition to seek qualifications recognition and entry to practice.

D. Highly skilled immigrants should have access to a combination of flexible and practical financial resource options that would facilitate qualifications recognition and entry into practice.

Highly skilled immigrants will require financial support for the qualifications recognition process and paid employment that would give them entry and/or experience in their profession or occupation.

## Guiding Principle of the Framework:

The Government of
Manitoba should take the
leadership role to ensure the
development of a Manitoba
Strategy to address the issue
of qualifications recognition
and entry to practice of
highly skilled immigrants.





### \*Substantive Equality

"requires that differences among social groups be acknowledged and accommodated in laws, policies and practices to avoid adverse impacts on individual members of the group. A substantive approach to equality evaluates the fairness of apparently neutral laws, policies and programs in light of the larger social context of inequality, and emphasizes the importance of equal outcomes which sometimes requires equal treatment and sometimes different treatment."

Source: http://canadajustice.gc.ca

### **Assessing Bodies**

This term is used to describe a body - whether employer, educational institution, or occupational regulatory body - which assess the qualifications of internationally trained individuals.



## PRINCIPLE 2

Manitoba should ensure that assessing bodies are accountable for their practices and that they observe the principles of substantive equality\* in their assessment and recognition of highly skilled immigrants. Determination of both eligibility for assessment and recognition of qualifications should be fair and equitable while maintaining appropriate occupational standards. ("Assessing bodies" refers to any organization that participates in the assessment of credentials and includes government, regulators, post-secondary institutions and employers.)

A. Highly skilled immigrants should have reasonable access, upon request, to an assessment of their qualifications (including training and experience) obtained outside Canada.

This may include specified costs, reasonable fees that include special measures for disadvantaged groups, and financial resources to support highly skilled immigrants. Accessibility could be further supported through reasonable frequency and duration of assessments. Consistent with the law, the concept of being reasonable involves the resources available to the assessing body and the nature of any accommodations required.

B. Assessment for entry and practice should be based on the competencies and qualities that are reasonably necessary to practise the occupation.

The following ideas will be further explored by stakeholders, appropriate government departments and the Ministerial Committee. Competency-based assessment should be adopted in principle for both eligibility and qualifications recognition. Competencies and standards should be properly designed and reasonably required to do the job. Competencies and standards should reflect individual and group differences and capabilities. Employers should strive for the same by ensuring clarity in their hiring processes.

 Assessments should be designed and conducted fairly without any form of discrimination.

This would include the concept of due process and transparent appeal or review mechanisms that would ensure fairness.



D. Entry and practice standards and their method of assessment should be transparent and available to the public.

The following ideas will be further explored by stakeholders, appropriate government departments and the Ministerial Committee. Eligibility requirements and procedures should be clearly stated including duration and fees. Further, the applicant should be clearly and fully informed of the competencies required and the testing methods used.

E. Design and selection of assessment methods should provide reasonable and genuine opportunities for individuals to demonstrate competencies necessary to practise the occupation.

The following ideas will be further explored by stakeholders, appropriate government departments and the Ministerial Committee. The quality and variety of assessments should provide valid and reliable measures and be designed to measure what they say they do. Sole reliance on paper credentials should only be acceptable where it has been proven to be unreasonable to use competency-based assessment. Assessments should overcome language and cultural barriers and address areas of unfamiliarity. Language requirements should be consistent with requirements for entry to practise of occupations as determined through the Canadian Language Benchmarks. Skill assessment should include supports and resources for those undertaking the process.

F. Determination and communication of assessment results should be accurate and consistent and provide complete information, including identification of areas for further development.

The following ideas will be further explored by stakeholders, appropriate government departments and the Ministerial Committee. Results should be clearly communicated and easily understood with strengths and limitations identified. Any assessment method should have the capability to identify areas in which highly skilled immigrants require upgrading, gap or bridge training to complete the qualifications recognition process successfully and enter into practice. Options for partial accreditation, such as limited licenses, should be considered.

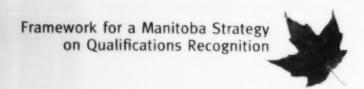
### Competency-Based Assessment

An evaluation that measures an applicant's skills, level of knowledge, and behaviours establishing the extent to which s/he meets the competency-based occupational standards for a given occupation.

### Competency-Based Occupational Standards

A comprehensive set of statements describing what a competent worker can do in a given occupation.





## PRINCIPLE 2 continued

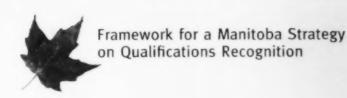
G. Accountability mechanisms for assessing institutions would ensure that standards of substantive equality, within the bounds of reasonableness, are maintained.

The methods available may range from:

- Establishing the requirement for professional organizations to abide by the principles of substantive equality.
- Initiating a consultative process with assessing institutions to establish codes of conduct based on the principles of substantive equality.
- Establishing an overseeing capacity to review practices of professional organizations to ensure that processes of credentials evaluation are equitable and consistent with principles of substantive equality established through the consultative process.
- Allowing for specific Manitoba-only certification and licensing based on standards of substantive equality, in addition to the national or international standards that ensure mobility in many sectors, to preserve the national networks already established and support the development of Manitoba-based solutions.
- Establishing support groups to assist highly skilled immigrants in various ways, ranging from support, to training, to advocacy.

There is a need to ensure that processes for evaluating qualifications are equitable and consistent with the principles of substantive equality.





## PRINCIPLE 3

Manitoba should ensure that there is co-ordinated capacity for highly skilled immigrants to enter their occupations in an efficient and equitable manner.

A. Means to address any gaps that stand as barriers to qualifications recognition and entry to practice should be part of the co-ordinated capacity.

Institutions/organizations should ensure they have the resources to address gaps and barriers to qualifications recognition.

The following ideas will be further explored by stakeholders, appropriate government departments and the Ministerial Committee. Various programs for orientation and upgrading, ranging from English as an Additional Language and English for Special Purposes, to Canadian cultural awareness, to occupation-specific training, could be available to highly skilled immigrants. Employers could be encouraged to provide the necessary Canadian experience for immigrants.

B. The capacity should include the ability to provide services in a timely and adaptable manner.

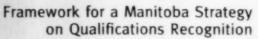
The following ideas will be further explored by stakeholders, appropriate government departments and the Ministerial Committee. Programs should be available in flexible formats, adapted to specialized training and/or the higher levels required by particular occupations, and at such times and with sufficient frequency to allow highly skilled immigrants working at other jobs to be able to take the programs quickly and efficiently.

C. All available options to develop this capacity should be explored, and when possible built on best practices.

Existing organizations, whether educational institutions, regulatory bodies, and employers could be used where appropriate and practical. Individual mentorship systems could be created and enhanced within existing assessing institutions, along with a spectrum of opportunities from informal, to formal, to job-shadowing, to observerships, to learning contracts, to tailored intern status. A centralized resource centre could also be created where appropriate and practical.

There must be a co-ordinated effort to maximize resources in order to achieve the goals of Manitoba's Qualifications Recognition Strategy.







## PRINCIPLE 3 continued

D. Resources should be available to develop and support the co-ordinated capacity.

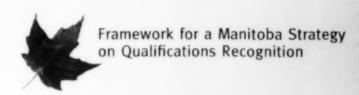
Many different funding mechanisms could be explored ranging from government funding, industry funding and immigrant self-funding to increased fees. Additionally, different human resource mechanisms, including volunteers, could be explored.

## PRINCIPLE 4

Manitoba should encourage partnerships/co-operation for further action including models of best practice.

Information could be shared across the board, and linkages could be established. Educational institutions and regulatory bodies could share information, resources, and processes and co-ordinate entry and assessment criteria and gap and bridge training. Regulatory bodies and employers could work together to develop assessment processes to recognize education and experience, identify gaps, and provide work experience for credit. Advocacy groups could work with the assessing institutions. Various assessing entities could be encouraged to continue to work with national counterparts. The government could identify existing initiatives, and initiate others in high-priority areas. Each of these initiatives would be monitored closely so that the experience in each could be used to create broader-based programs.





## PRINCIPLE 5

Manitoba should enter into joint initiatives with other levels of government where appropriate and advantageous.

The federal and provincial governments could collaborate in the development and implementation of strategies to address barriers to qualification recognition and integration of immigrants into the labour market.

## PRINCIPLE 6

Manitoba should make certain this initiative can be sustained as a priority among stakeholders, and that attitudes and approaches that are significant barriers to the initiative can be overcome.

The government could continue to involve relevant stakeholders. The government could place priority on those areas where there is or will be labour shortages; the analysis of labour shortages could be based on lack of available skills and not merely on the job market. The government should ensure that the existing work force is treated properly in order to allay fears that an influx of skilled immigrants will affect their interests.

In order to sustain Qualifications Recognition as a priority in Manitoba, all stakeholders must play a role.





## PRINCIPLE 7

Manitoba should encourage support and involvement from the public and the assessing institutions.

### Public

A campaign could be initiated to explain the principles of substantive equality (human rights) in recognition of qualifications, as well as the human, social, and economic value that highly skilled immigrants bring to Manitoba. This can be accomplished through a community awareness strategy as well as involvement of community organizations to promote the status of immigrants and to welcome immigrants.

### **Employers**

Employers could be made aware of the valuable skills and experience that highly skilled immigrants provide. Training in diversity awareness may help change attitudes and foster openness to change. Models of best practice for recruitment, internal progression and training could be developed and marketed to employers.

### **Educational Institutions**

Educational institutions could be made aware of the value of having highly skilled immigrants receive short-term gap or bridge training, both for the global and often extensive experience they bring to the classroom, and for increased alumni support. Training and diversity awareness to front line contacts may help change attitudes or foster openness to change.

### National and International Accrediting Bodies

The government could assist the various Manitoba accrediting bodies in putting forward the principles of substantive equality and appropriate assessment and recognition processes.





# BARRIERS TO QUALIFICATIONS RECOGNITION FOR INTERNATIONALLY TRAINED INDIVIDUALS

Numerous barriers to qualifications recognition have been synthesized by the Ministerial Committee in the course of research for this initiative and through consultations with a broad base of interest groups. This working document was written to assist in the development of a Framework for a Manitoba Strategy on Qualifications Recognition. The barriers described below do not necessarily represent the views of government nor do they necessarily apply to each area, or even to individual groups in each area. They are included here for informational purposes only.

## EXISTING BARRIERS

### A. Access to Information

- Information available to immigrants regarding qualifications recognition can be difficult
  to obtain and/or understand. Materials are typically written in English or French, and the
  language level in which they are written may be too high for the immigrant to understand.
  Materials may be written from an institutional perspective rather than geared to immigrants
  and there may be unwritten or informal rules or discretionary matters that are not
  publicized.
- Information available to assessing entities\* can also be difficult to obtain and/or
  understand. Immigrants to Canada come from increasingly diverse countries and
  programs of study. The few resources currently available make it difficult to assess their
  qualifications. There may be difficulties with interpretation, and translation into English
  or French may alter the meaning of original documents. Different educational systems or
  philosophies and work experiences may be difficult to assess and accept. Sometimes even
  simple issues, like difficult-to-understand accents can impact understanding.
- Information regarding assessment and recognition processes is produced by many different sources, each of which writes from its own perspective. This can lead to inconsistent, inaccurate, incomplete (gaps), and/or fragmented information, any of which may be difficult to find.

<sup>\*</sup> Assessing Entities – Bodies that have a role in the assessment and recognition of qualifications of immigrants, and/or their entry into the labour market. Examples include: post-secondary institutions, occupational regulatory bodies and government departments.





## EXISTING BARRIERS continued

### B. Qualifications Assessment and Recognition Practices

### Criteria and Standards

- Recognition may be blocked if an individual is unable to meet certain requirements. One
  such requirement may be knowledge of occupation-specific English. This can be difficult
  to acquire outside of an English speaking workplace but may be critical to success on
  mandatory licensing examinations. This presents a catch-22 situation for individuals
  who are not permitted to practice until they are fully licensed. Moreover, in some cases,
  requirements such as this may not be necessary to the successful performance of the
  occupation.
- Assessments are often based solely on paper credentials. With the diversity of educational
  programs and systems represented by the immigrant population it has become increasingly
  difficult to assess the papers people present. Additionally, we now know that an
  assessment of paper credentials may not accurately reflect what a person actually knows
  and can do.
- Original documents are typically required by assessing entities and copies are not
  acceptable. It may be extremely difficult to get originals, especially when the immigrant has
  already migrated to Canada. This is particularly the case for refugees.
- Rigid educational requirements may function to exclude competent individuals. Some
  assessing entities, for example, only accept graduates of specific educational institutions
  or programs. Others may require the completion of Grade 12, but equivalencies are not
  considered.
- Qualifications assessment and recognition practices may not determine the actual
  competencies required to practice. For example, current academic, rather than practical
  knowledge may be tested or language levels required to qualify for entry may be higher
  than the language level required to practice the trade or occupation.

### Treatment

Because of a responsibility to ensure that only qualified people are given the right to
practice their regulated occupation in Manitoba, there is the tendency to exclude, rather
than include. This may mean that some qualified individuals are not recognized, but it is
also thought that it will ensure that no unqualified individuals practice.





## EXISTING BARRIERS continued

- The concept that treating everyone the same has generally been understood to mean
  that everyone is treated fairly. However, the Supreme Court of Canada has observed that
  treating everyone the same can be seen as discriminatory conduct, because human rights
  requires that people be treated as individuals, according to their own capacities and
  limitations.
- Immigrant frustration with the process of qualifications recognition may lead to communication problems, adversarial relationships and/or negative assessments.

### **Assessment Mechanisms**

- Design and form of assessment tools may be unfamiliar to individuals from some countries.
  The assessment form may be designed such that unnecessary experience in Canada is
  required to succeed. The tests might assume knowledge of Canadian general culture not
  relevant to the particular trade or occupation, or might be written in a format (such as
  multiple choice) which many countries simply don't have. This is the concept of cultural bias.
- Assessment tools may be poorly constructed or they may simply be the wrong type of test
  tool. Tools may not be clear and they may not provide good guidance for the kinds of
  answers required. Tools may simply not test what they are supposed to test. Some may
  assess test-taking skills over content knowledge. The pressure of tests, i.e. time pressures,
  the existence of observers, the need to explain actions taken etc. may overwhelm
  candidates to the extent that their results are negatively impacted. Finally, tests can be
  subjective, open to different interpretations by different evaluators (e.g., appropriate
  bedside manner).

### **Assessment Procedures**

• Assessment procedures and/or upgrading (gap-training) can be impractical from the immigrant's point of view. This is especially true for those who do not have an opportunity to practice their occupation while being assessed or getting additional training and end up working for low wages. The costs of assessment vary considerably, but in many cases are quite high. The assessment and training can stretch over a long time. Delay means that skills or currency is lost. Testing can be infrequent, or not available in Manitoba. Upgrading or gap training may simply not be available—the immigrant may have to take a complete course of studies. There may be long waits between examinations. Finally, in some occupations where the immigrants cannot practice their occupations, in order to pass the test, Canadian experience is needed; but in order to get Canadian experience, they must first pass the examination.





## BARRIERS TO CHANGING EXISTING SYSTEMS

### A. Costs and Resources

- There is not a lot of information about the costs and resources required to change the way
  foreign qualifications are assessed and recognized. Because of this, even the perception
  of the high costs and resources that may be required can lead to a fear of pursuing other
  solutions.
- Assessing entities may believe that changing their systems is beyond their abilities due
  to the size of their organization, its volunteer nature, or a frequently rotating leadership.
   Some may feel it is simply not cost effective on many levels and government may not have
  the resources to commit to long-term, sustainable change.

### B. Complexity of the Challenge

- Issues of translation and authentication of qualifications from other countries may
  also present challenges to changing existing methods of qualifications assessment and
  recognition. In terms of translation, for example, individuals may have difficulty accessing
  translation services and/or ensuring translations that accurately reflect their education.
  Authenticating documents from increasingly diverse educational institutions around the
  world can be an arduous task, particularly those from developing countries. In addition,
  assessing entities may have little knowledge of, or experience with, the educational
  institutions or work experience in these countries.
- The autonomous nature of the assessing entities may take priority over co-ordination or
  even the goal of assessing foreign qualifications differently. The autonomy of the various
  assessing institutions also makes it difficult for government to develop the political will to
  intervene unilaterally if it felt it was absolutely necessary. Other issues arising out of the
  autonomous nature of the assessing entities may include:
  - Potential conflicts of interest

The persons who practice the trade or occupation sit in judgement over those who compete with them. Highly skilled immigrants whose qualifications have not been officially recognized provide a cheap labour pool. Selective admission standards help educational institutions maintain respected reputations.





## BARRIERS TO CHANGING EXISTING SYSTEMS continued

### Protectionism

There may be a tendency to place a greater priority on protecting one's self interest, or public interest, or an institution's interest over any goal of assessing qualifications differently.

### · Many different decision makers

Autonomy can lead to lack of accountability, co-ordination, and responsibility. When this happens there is no ownership of the problem.

### C. Change is sometimes beyond the powers of Manitoba Assessing Entities

Assessments of foreign qualifications are sometimes done by national or international
institutions/bodies. There are national or international standards and testing which cannot
be changed within Manitoba. Practices of assessing entities are often harmonized with
other provincial or national bodies. The institutions might feel a need to be consistent with
what is done elsewhere because they are signatories to national agreements or simply
because they feel they should. Finally, procedures, if they are inherent in an institution's
structure, may be difficult to change.

### D. Attitudes and Approaches

- Comfort with status quo may be a barrier to changing existing systems. Adherence to tradition, fear of the unknown and the tendency to play-it-safe often interfere with efforts to initiate systemic change.
- Canada admits most immigrants on the basis of their education. As a result, those
  accepted often have very high expectations of their employability in Canada. When they
  arrive and do not have the immediate opportunity to practice their skills, they can become
  very frustrated. In turn, assessing entities, doing their best with their limited resources,
  may become frustrated with foreign candidates' approach and feel beleaguered. These
  very different expectations may make it difficult for players who feel adversarial to work
  together.





## BARRIERS TO CHANGING EXISTING SYSTEMS continued

- Issues other than the recognition and entry to practice of highly-skilled immigrants have greater priority. There is often complacency and a feeling that things are basically fine with immigrants. There is no sense of urgency in society, as people often believe that "no matter how bad it is, it is still better for immigrants in Canada than where they came from". Additionally, Canadians may devalue the plight of immigrants. In many trades and occupations there is already significant unemployment and in a number of trades there are also seniority and hiring hall issues that place highly skilled immigrants at odds with existing available workers. Highly skilled immigrants whose qualifications have not been officially recognized provide a cheap labour pool. In those trades or occupations that do not have exclusivity or require certification for practice, employers can hire highly skilled immigrants without paying them the higher rates. Finally, Aboriginal Canadians face significant unemployment challenges and resources must be devoted to this issue. New immigrants do not necessarily constitute a policy priority or a societal priority.
- The existence of ethnocentrism and stereotyping, which may range from simple preferences for specific kinds of immigrants (for example, from known industrialized, or English-speaking, or European countries), to more overt discriminatory treatment (for example, preference on the basis of colour, or discrimination on the basis of ethnic identity) may impede change to existing systems. Many of these attitudes and approaches can exist without their being consciously adopted. That is, they can be systemically created without any intention or even awareness on the part of the individuals in the system.



